

COLIN M. RUBICH
Assistant U.S. Attorney
U.S. Attorney's Office
James F. Battin U.S. Courthouse
2601 Second Ave. N., Ste. 3200
Billings, MT 59101
Phone: (406) 247-4684
Fax: (406) 657-6989
E-mail: Colin.Rubich@usdoj.gov

FILED

JUN 03 2021

Clerk, U.S. District Court
District Of Montana
Great Falls

**ATTORNEY FOR PLAINTIFF
UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

UNITED STATES OF AMERICA,	CR 21- 38 -BLG- SPW
Plaintiff,	INDICTMENT
vs.	CONSPIRACY TO POSSESS WITH INTENT TO DISTRIBUTE METHAMPHETAMINE (Count I) Title 21 U.S.C. § 846 (Penalty: Mandatory minimum ten years to life imprisonment, \$10,000,000 fine, and at least five years supervised release)
ANDREW REX ALLENBY and WILLIAM LEONARD,	POSSESSION WITH INTENT TO DISTRIBUTE METHAMPHETAMINE (Count II) Title 21 U.S.C. § 841(a)(1) Title 18 U.S.C. § 2 (Penalty: Mandatory minimum ten years to life imprisonment, \$10,000,000 fine, and at least five years supervised release)
Defendants.	

	<p>POSSESSION OF A FIREARM IN FURTHERANCE OF A DRUG TRAFFICKING CRIME (Count III) Title 18 U.S.C. § 924(c)(1)(A)(i) (Penalty: Mandatory minimum five years to life imprisonment, consecutive to any other sentence, \$250,000 fine, and five years supervised release)</p> <p>PROHIBITED PERSON IN POSSESSION OF A FIREARM (Count IV) Title 18 U.S.C. § 922(g)(1) (Penalty: Ten years imprisonment, \$250,000 fine, and three years supervised release)</p> <p>FORFEITURE Title 21 U.S.C. § 853(a)(1) and (2) Title 21 U.S.C. § 881(a)(11) Title 18 U.S.C. § 924(d)</p> <p>TITLE 21 PENALTIES MAY BE ENHANCED BY PRIOR DRUG-RELATED FELONY CONVICTIONS</p>
--	--

THE GRAND JURY CHARGES:

COUNT I

On or about September 24, 2020, near Forsyth and within Rosebud County, in the State and District of Montana and elsewhere, the defendants, ANDREW REX ALLENBY and WILLIAM LEONARD, knowingly and unlawfully conspired and agreed with each other and with other persons, known and unknown to the Grand Jury, to possess with the intent to distribute, in violation of 21 U.S.C. § 841(a)(1), 50 grams or more of actual methamphetamine, a Schedule II controlled substance,

in violation of 21 U.S.C. § 846.

COUNT II

On or about September 24, 2020, near Forsyth and within Rosebud County, in the State and District of Montana and elsewhere, the defendants, ANDREW REX ALLENBY and WILLIAM LEONARD, possessed, with the intent to distribute, 50 grams or more of actual methamphetamine, a Schedule II controlled substance, and did aid and abet the same, in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2.

COUNT III

On or about September 24, 2020, near Forsyth and within Rosebud County, in the State and District of Montana and elsewhere, the defendant, ANDREW REX ALLENBY, knowingly possessed a firearm in furtherance of a drug trafficking crime that may be prosecuted in a court of the United States, namely conspiracy to possess with intent to distribute, and possession with intent to distribute methamphetamine, as alleged in Counts I and II above, in violation of 18 U.S.C. § 924(c)(1)(A)(i).

COUNT IV

On or about September 24, 2020, near Forsyth and within Rosebud County, in the State and District of Montana and elsewhere, the defendant, ANDREW REX ALLENBY, knowing he had been convicted on or about May 29, 2018, of a crime punishable by a term of imprisonment exceeding one year under the laws of the

State of Washington, knowingly possessed, in and affecting interstate commerce, a firearm, in violation of 18 U.S.C. § 922(g)(1).

FORFEITURE ALLEGATION

Upon conviction of either of the offenses set forth in Counts I and II of this indictment, the defendants, ANDREW REX ALLENBY and WILLIAM LEONARD, shall forfeit, pursuant to 21 U.S.C. § 853(a)(1) and (2), and 21 U.S.C. § 881(a)(11): (1) any property constituting and derived from any proceeds obtained, directly and indirectly, as a result of the commission of said offense; (2) any property used and intended to be used, in any manner and part, to commit, and facilitate the commission of, said offense; and (3) any firearm used and intended to be used to facilitate the transportation, sale, receipt, possession, and concealment of controlled substances and any proceeds traceable to such property.

Upon conviction of either of the offenses set forth in Count III and IV of this indictment, the defendant, ANDREW REX ALLENBY, shall forfeit,

//

//

//

//

//

pursuant to 18 U.S.C. § 924(d), any firearms and ammunition involved in any knowing violation of said offense.

A TRUE BILL.

Foreperson signature redacted. Original document filed under seal.

FOREPERSON


LEIF M. JOHNSON
Acting United States Attorney


JOSEPH E. THAGGARD
Criminal Chief Assistant U.S. Attorney